

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office NOV 02 1995

Returned to applicant for correction DEC 05 1995

Corrected application filed JAN 31 1996 Map filed FEB 01 1996

The applicant Bruno Benna, Trustee of the Bruno Benna Family Trust
232 Court Street of Reno
Street and No. or P.O. Box No. City or Town

Nevada 89501 hereby make S. application for permission to change the
State and Zip Code No.

place of use and point of diversion of a portion
Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under Permit 20289 (Certificate 5907)
Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

identify right in Decree.

1. The source of water is An underground source
Name of stream, lake, underground spring or other source.
2. The amount of water to be changed 0.0534 cfs, 22.6 acre feet
Second feet, acre feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for irrigation
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
4. The water heretofore permitted for irrigation
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
5. The water is to be diverted at the following point NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 12, T.18N., R.19E., M.D.B.&M.,
Describe as being within a 40-acre subdivision of public survey and by course and
or at a point from which the NE corner of said Section 12 bears N58⁰02'E, a
distance to a section corner. If on unsurveyed land, it should be stated.
distance of 1,424 feet.
6. The existing permitted point of diversion is located within NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 1, T.18N., R.19E., M.
If point of diversion is not changed, do not answer.
D.B.&M., or at a point from which the SE corner of said Section 1 bears S8⁰03'
30"E, a distance of 2,351 feet.
7. Proposed place of use 0.3 acre in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 1, T.18N., R.19E., M.D.B.&M., 7.7 acres
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
in NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 12, T.18N., R.19E., M.D.B.&M. Total acres to be irrigated
under this change application is 8 acres.
8. Existing place of use 2.8 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 1, T.18N., R.19E., M.D.B.&M., 5.2
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or
acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 6, T.18N., R.20E., M.D.B.&M. of supplemental underground
manner of use of irrigation permit, describe acreage to be removed from irrigation.
water being stripped.
9. Use will be from January 1 to December 31 of each year.
Month and Day Month and Day
10. Use was permitted from April 1 to November 1 of each year.
Month and Day Month and Day
11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and
specifications of your diversion or storage works.) Drilled well, pump, pipeline and surface
State manner in which water is to be diverted, i.e. diversion structure,
irrigation system
ditches, pipes and flumes, or drilled well, etc.
12. Estimated cost of works \$10,000
13. Estimated time required to construct works 3 years

14. Estimated time required to complete the application of water to beneficial use..... 3 years
15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

The remaining duty of 5.7 acre feet with a diversion rate of 0.0134 cfs will remain on 2 acres within NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 1 of the existing place of use. This application is to change the place of use and point of diversion for 22.6 acre feet with a diversion rate of 0.0534 cfs. Permit 20289 (Certificate 5907) is supplemental to waters under the Truckee River Decree, Claim 218. Therefore, no land is removed from irrigation.

s/Randall C. Bowling (Agent)

By P.O. Box 12926
Reno, NV 89510-2926

Compared cmg/bk lw/cms

Protested

APPROVAL
OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion, place and manner of use of a portion of the waters of an underground source as heretofore granted under Permit 20289, Certificate 5907 is issued subject to the terms and conditions imposed in said Permit 20289, Certificate 5907 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

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The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.0534 cubic feet per second, but not to exceed 22.6

acre-feet annually, and not to exceed a yearly duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before March 27, 2000

Proof of completion of work shall be filed before April 27, 2000

Application of water to beneficial use shall be made on or before March 27, 2003

Proof of the application of water to beneficial use shall be filed on or before April 27, 2003

Map in support of proof of beneficial use shall be filed on or before April 27, 2003

Completion of work filed APR 2 2000

Proof of beneficial use filed

Cultural map filed

Certificate No. Issued

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.,
State Engineer of Nevada, have hereunto set my hand and the seal of my
office, this 27th day of March

A.D. 19 98

R. Michael Turnipseed
State Engineer

The well must be sealed with cement grout, concrete grout or neat cement from ground level to 100 feet.

This permit is limited to the irrigation of 8.0 acres within the described place of use and is issued supplemental to Truckee River Claim 191.